

SUMMARY OF PROPOSED AMENDMENTS TO THE ADMINISTRATIVE RULES REGARDING THE BOILER INSPECTION DIVISION

DEPARTMENT OF LABOR AND LICENSING

February 23, 2022

The purpose and necessity of the proposed amendment is to comply with changes from the 2019 and 2021 legislative session.

The proposed amendments would accomplish the following:

1. Amend the division's rule on license and examination fees to provide for an initial fee waiver for certain individuals pursuant to Act 725 of 2021;
2. Amend the division's rule to provide automatic licensure for military personnel and their spouses to conform to Act 135 of 2021;
3. Amend the licensing rule for recognition of apprenticeship programs for a boiler operator license pursuant to Act 811 of 2021; and
4. Amend the division's rule on reciprocity and temporary and provisional licensing to comply with Act 426 and Act 1011 of 2019.

It should be noted that the licensing provisions of the Boiler Inspection Section are not found in title 17 of the Arkansas Code, but in title 20. This means that for automatic licensure of uniformed service members, veterans and their spouses, Act 135 is not mandatory. The definition of "automatic occupational licensure" means "the granting of occupational licensure without an individual's having met occupational licensure requirements provided under this title or by rules of the relevant occupational licensing entity." Arkansas Code § 17-4-103(1)(emphasis added). However, the division elected to provide automatic licensure to applications for a boiler operator license.